

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA**

MALIBU MEDIA, LLC,)	
)	
Plaintiff,)	
)	
v.)	CAUSE NO. 3:13-CV-163-TLS
)	
HAI NGUYEN,)	
)	
Defendant.)	

ORDER

This matter is before the Court on the Plaintiff's Motion to Dismiss the Case With Prejudice [ECF No. 22]. The Plaintiff requests that the Court, pursuant to Federal Rule of Civil Procedure 41(a)(2), allow the Plaintiff to voluntarily dismiss this action with prejudice. It is within the court's sound discretion in deciding whether to permit a plaintiff to voluntarily dismiss an action pursuant to Rule 41(a)(2). *Tolle v. Carroll Touch, Inc.*, 23 F.3d 174, 177 (7th Cir. 1994); *Tyco Labs., Inc. v. Koppers Co.*, 627 F.2d 54, 56 (7th Cir. 1980).

Finding that the Defendant has not pleaded a counterclaim nor filed a motion for summary judgment, and that no other plain legal prejudice would result from a dismissal with prejudice, the Court GRANTS the Plaintiff's Motion [ECF No. 22]. The Plaintiff's claims are DISMISSED WITH PREJUDICE, and the cause will be termed.

SO ORDERED on May 2, 2014.

s/ Theresa L. Springmann
THERESA L. SPRINGMANN
UNITED STATES DISTRICT COURT
FORT WAYNE DIVISION